

REMARKS

Claims 13-15, 17-23 are pending. Claims 16 and 24 are cancelled herein.

I. The claim objections and 112 rejections

Applicants thank the Examiner for pointing out the cited language. Applicants have respectfully amended claims 16-22 for proper antecedent basis reasons, and claim 14 for indefiniteness reasons.

II. The anticipation rejection of claim 13 in view of Biber et al., US 5,825,535.

Claim 13 has been amended to include the limitations of claim 16 in modified form. Claim 16 has been cancelled. Therefore, applicant respectfully asserts that no new matter has been added.

The structural difference between claim 13 with direct drive according to claim 13 and Biber et al. is that the moving lens system in claim 13 is moved using *previously stored values to control the drives*. This means that the mathematically predetermined and calculated lens reference positions, from a mathematical controlling curve, are *read out of storage* and adjusted *without necessitating an additional monitoring measurement system* (e.g., an encoder). *The claimed invention accomplishes this by doing away entirely with mechanical generation of the controlling curves* of the stereo microscope zoom system, and instead controlling the optical elements by electric direct drives. (see page 3 of the specification).

Accordingly, all magnifications of the stereoscopic zoom system can be variably adjusted

in such a way that the focusing state is still maintained, i.e., the image always remains sharp when zooming in.

In contrast, in Biber et al., only the magnification values and focus values which are predetermined by the user and which are entered from the control panel are approximated (designated as "homing function", storage of user values in a "look-up table") and monitored via an additional detector (Biber: HEIDENHAIN encoder).

Therefore, the construction as described by Biber et al. has nothing in common with the structure of claim 13 of the present invention and respectfully does not anticipate, teach or suggest claim 13.

III. Claim 16 was not rejected by Pensel et al., US 5,867,308. Therefore by combining claims 13 and 16 in amended claim 13, (13=13+16) the Pensel reference is respectfully traversed. Claim 24 is cancelled.

Therefore the remaining claims which depend from claim 16, should also be respectfully allowable.

IV. Conclusion

It is respectfully asserted that all of the rejections have been traversed for the reasons above.

Therefore, it is requested that all the claims be reconsidered and allowed.

In light of the *FESTO* case, no argument made herein was related to the statutory requirements of patentability unless expressly stated herein. No argument made was for the purpose of narrowing the scope of any claim unless Applicant has explicitly stated that the argument is narrowing.

Respectfully submitted,

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MARKED-UP CLAIMS

Please cancel claims 16 and 24.

13. (Once Amended) An arrangement for directly controlling the movement of a zoom system in a stereo microscope, comprising;

direct driving motors for at least one moving lens system wherein the driving motors are controlled by a control unit which reads calculated pre-stored values of reference points from a mathematical controlling curve for directing the movement of the at least one moving lens system by controlling the driving motors in a corresponding manner without necessitating use of mechanical generation of the mathematical controlling curve and without an additional monitoring system.

14. (Once Amended) The arrangement according to claim 13 with two lens members which [can be] are controlled independently from one another.

15. The arrangement according to claim 13, wherein lens members are provided as lens pairs in a Greenough type stereo microscope or telescope type stereo microscope.

17. (Once Amended) The arrangement according to claim 13, wherein the [drives] driving motors are linear drives.

18. The arrangement according to claim 17, wherein the linear drives are arranged in the

stereo microscope housing.

19. (Once Amended) The arrangement according to claim 18, wherein the [drives] driving motors are arranged between [the] lens pairs.

20. The arrangement according to claim 13, wherein a plurality of moving lens members are controlled jointly.

21. The arrangement according to claim 13, wherein at least two lens members are driven separately.

22. (Once Amended) The arrangement according to claim 13, wherein [the] a linear magnification that is adjusted is determined and displayed to the operator during the controlling of the zoom system.

23. The arrangement according to claim 13, wherein control units are used for motorized zoom adjustment and for motorized focusing of the microscope.